

05-14-01

PCT

JC17 Rec'd PCT/PTO 10 MAY 2001

FORM PTO-390
(REV. 1-98)

U.S. DEPARTMENT OF COMMERCE PATENT AND TRADEMARK OFFICE

ATTORNEY'S DOCKET NUMBER

20560-32

**TRANSMITTAL LETTER TO THE UNITED STATES
DESIGNATED/ELECTED OFFICE (DO/EO/US)
CONCERNING A FILING UNDER 35 U.S.C. 371**

U.S. APPLICATION NO. (if known, see 37 CFR 1.5)

09/831679

INTERNATIONAL APPLICATION
NO.

PCT/AT99/00272

INTERNATIONAL FILING DATE

10 November 1999

PRIORITY DATE CLAIMED

10 November 1998

TITLE OF INVENTION:

FACTOR VIII POLYPEPTIDE HAVING FACTOR VIII:C ACTIVITY

APPLICANT(S) FOR DO/EO/US

**Petrus Johannes LENTING, Jan Aart VAN MOURIK, Koenraad MERTENS, Hans PANNEKOEK, Peter
TURECEK, Hans-Peter SCHWARZ, and Friedrick SCHEIFLINGER**

Applicant herewith submits to the United States Designated/Elected Office (DO/EO/US) the following items and other information:

1. - This is a **FIRST** submission of items concerning a filing under 35 U.S.C. 371.
2. ☐ This is a **SECOND** or **SUBSEQUENT** submission of items concerning a filing under 35 U.S.C. 371.
3. ☐ This express request to begin national examination procedures (35 U.S.C. 371(f)) at any time rather than delay examination until the expiration of the applicable time limit set in 35 U.S.C. 371(b) and PCT Articles 22 and 39(1).
4. ☒ A proper Demand for International Preliminary Examination was made by the 19th month from the earliest claimed priority date.
5. ☒ A copy of the International Application as filed (35 U.S.C. 371(c)(2))
 - a. ☐ is transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☒ has been transmitted by the International Bureau.
 - c. ☐ is not required, as the application was filed in the United States Receiving Office (RO/US).
6. ☒ A translation of the International Application into English (35 U.S.C. 371(c)(2)).
7. ☒ Amendments to the claims of the International Application under PCT Article 19 (35 U.S.C. 371(c)(3))
 - a. ☐ are transmitted herewith (required only if not transmitted by the International Bureau).
 - b. ☐ have been transmitted by the International Bureau.
 - c. ☐ have not been made; however, the time limit for making such amendments has NOT expired.
 - d. ☒ have not been made and will not be made.
8. ☐ A translation of the amendments to the claims under PCT Article 19 (35 U.S.C. 371(c)(3)).
9. ☒ An oath or declaration of the inventor(s) (35 U.S.C. 371(c)(4)). (informal)
10. ☐ A translation of the annexes to the International Preliminary Examination Report under PCT Article 36 (35 U.S.C. 371(c)(5)).

Items 11. to 16. below concern document(s) or information included:

11. ☐ An Information Disclosure Statement under 37 C.F.R. 1.97 and 1.98.
12. ☒ An assignment document for recording (informal). Assignment of the invention to Baxter Aktiengesellschaft
13. ☐ A FIRST preliminary amendment.
☐ A SECOND or SUBSEQUENT preliminary amendment.
14. ☐ A substitute specification.
15. ☒ Declaration. (informal)
16. ☒ Other items of information:

U.S. APPLICATION NO. 09/831679 (37 CFR 1.5)		INTERNATIONAL APPLICATION NO. PCT/AT99/00272		ATTORNEY'S DOCKET NUMBER 20560-32	
17. <input type="checkbox"/> The following fees are submitted:				CALCULATIONS PTO USE ONLY	
BASIC NATIONAL FEE (37 CFR 1.492(a)(1)-(5)): Search Report has been prepared by the EPO or JPO..... \$ International preliminary examination fee paid to USPTO (37 CFR 1.482) \$ No international preliminary examination fee paid to USPTO (37 CFR 1.482) but international search fee paid to USPTO (37 CFR 1.445(a)(2)) \$860.00 Neither international preliminary examination fee (37 CFR 1.482) nor international search fee (37 CFR 1.445(a)(2)) paid to USPTO \$ International preliminary examination fee paid to USPTO (37 CFR 1.482) and all claims satisfied provision of PCT Article 33(2)-(4) \$ ENTER APPROPRIATE BASIC FEE AMOUNT =					
Surcharge of \$130 for furnishing the oath or declaration later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(e)).					
CLAIMS	NUMBER FILED	NUMBER EXTRA	RATE		
Total claims	20 =		x \$18.00		
Independent claims	3 =		x \$80.00		
MULTIPLE DEPENDENT CLAIM(S) (if applicable)			+\$270.00		
TOTAL OF ABOVE CALCULATIONS =					
Reduction of 1/2 for filing by small entity, if applicable. Verified Small Entity Statement must also be filed (Note 37 CFR 1.0, 1.27, 1.28).					
SUBTOTAL =					
Processing fee of \$130 for furnishing the English translation later than <input type="checkbox"/> 20 <input type="checkbox"/> 30 months from the earliest claimed priority date (37 CFR 1.492(f)).				+	
TOTAL NATIONAL FEE =					
Fee for recording the enclosed assignment (37 CFR 1.21(h)). The assignment must be accompanied by an appropriate cover sheet (37 CFR 3.28, 3.31). \$40 per property				+	
TOTAL FEES ENCLOSED =					
				Amount to be refunded	\$
				Charged	\$

- a. ☐ A check in the amount of \$_____ to cover the above fees is enclosed.
- b. ☐ Please charge my Deposit Account No. _____ in the amount of \$_____ to cover the above fees.
A duplicate copy of this sheet is enclosed.
- c. ☐ The Commissioner is hereby authorized to charge any additional fees which may be required, or credit any overpayments to Deposit Account No. 16-2230. A duplicate copy of this sheet is enclosed.

NOTE: Where an appropriate time limit under 37 CFR 1.494 or 1.495 has not been met, a petition to revive (37 CFR 1.137(a) or (b)) must be filed and granted to restore the application to pending status.

SEND ALL CORRESPONDENCE TO:

OPPENHEIMER WOLFF & DONNELLY LLP
 840 Newport Center Drive, Suite 700
 Newport Beach, California 92660
 Attn: Louis C. Cullman
 Customer No: 25204

SIGNATURE: 

Louis C. Cullman

NAME

39,645

REGISTRATION NUMBER

05 JUL 2001

PTOSB/17 (11-00)

Approved for use through 10/31/2002. OMB 0661-0032
Patent and Trademark Office: U.S. DEPARTMENT OF COMMERCE

Under the Paperwork Reduction Act of 1995, no persons are required to respond to a collection of information unless it displays a valid OMB control number.

FEE TRANSMITTAL For FY 2001

Patent fees are subject to annual revision on October 1

TOTAL AMOUNT OF PAYMENT (\$ 1340.00

Complete if known

Application Number 09/831679
Filing Date 5/10/01
First Named Inventor Lenting
Examiner Name Unknown
Group/Art Unit Unknown
Attorney Docket No. 20560-32

METHOD OF PAYMENT (check one)

1. ☒ The Commissioner if hereby authorized to charge indicated fees and credit any over payments to Deposit Acct. No. 16.2230

☐ Charge any addition fee required under 37 CFR 1.16 and 1.17
☐ Applicant claims small entity status. See 37 CFR 1.27

2. ☒ Payment Enclosed:
☒ Check ☐ Money Order ☐ Other

FEE CALCULATION

1. BASIC FILING FEE

Large Entity Small Entity

Code	(\$)	Code	(\$)	Fee Description
101	710	201	355	Utility Filing Fee
106	320	206	160	Design filing fee
107	490	207	245	Plant filing fee
108	710	208	355	Reissue filing fee
970	860	971	430	National Filing w/EPO Search

SUBTOTAL (1) 860

2. EXTRA CLAIM FEES

Total Claims	Extra Claims	Fee from below	Fee Paid
19	-20* = 0	x	
9	-3* = 6	x	80
			480

*or number previously paid, if greater. For reissues, see below

Large Entity Small Entity

Code	(\$)	Code	(\$)	Fee Description
103	18	203	09	Claims in excess of 20
102	80	202	40	Indep claims in excess of 3
104	270	204	135	Multiple depend claim, if not pd
109	80	209	40	*Reissue independent claims over original patent
110	18	210	09	*Reissue claims in excess of 20 and over original patent

07/10/2001 MNGUYEN 00000119 09831679

02 FC:970 860.00 OP
03 FC:964 480.00 OP

SUBTOTAL (2) 1340.00

FEE CALCULATION (continued)

3. ADDITIONAL FEES
Large Entity Small Entity

Fee Code	Fee (\$)	Fee Code	Fee (\$)	Fee Description	Fee Paid
105	130	205	65	Surcharge-late filing fee or oath	
127	50	227	25	Surcharge-late provisional filing fee or cover sheet	
139	130	139	130	Non-English specification	
147	2520	147	2520	For filing a request for reexamination	
112	920	112	920	Requesting publication of SIR prior to Examiner action	
113	1840	113	1840	Requesting publication of SIR after Examiner action	
115	110	215	55	Extension for reply within first month	
116	390	216	195	Extension for reply within second month	
117	890	217	445	Extension for reply within third month	
118	1390	218	695	Extension for reply within fourth month	
128	1890	228	945	Extension for reply within fifth month	
119	310	219	155	Notice of Appeal	
120	310	220	155	Filing a brief in support of an appeal	
121	270	221	135	Request for oral hearing	
138	1510	138	1510	Petition to Institute a public use proceed	
140	110	240	55	Petition to revive - unavoidable	
141	1240	241	620	Petition to revive - unintentional	1240
142	1240	242	620	Utility Issue fee (or reissue)	
143	440	234	220	Design Issue fee	
144	600	244	300	Plant Issue fee	
122	130	122	130	Petitions to the Commissioner	
123	50	123	50	Petitions related to provisional apps	
126	180	126	180	Submission of Info Disclosure Stmt	
581	40	581	40	Recording each patent assignment per property (times number of properties)	
146	710	246	355	Filing a submission after final rejection (37 CFR 1.129)(a))	
149	710	249	355	For each additional invention to be examined (37 CFR 1.129)(b))	
179	710	279	355	Request for continued Examination	
169	900	169	900	Request for Expedited examination of a design application	

Other fee (specify)

*Reduced by Basic Filing Fee

SUBTOTAL (3) 1240.00

SUBMITTED BY

Name (Type/Print) Louis C. Cullman

Signature

Date 06/25/01

Complete (if applicable)

Reg. Number 39,645
Deposit Account 16-2230
User ID

09/831679

Rec'd PCT/PTO 10 MAY 2001

PATENT

Applicant: Lenting et al.
Application No.: Unknown
Filed: May 10, 2001
Title: Factor VIII Polypeptide having Factor VIII:C Activity
Atty Docket No.: 20560-32

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

CERTIFICATE OF EXPRESS MAIL

Assistant Commissioner for Patents
Box New Application
Washington, D.C. 20231

Sir:

EXPRESS MAIL Mailing Label Number: EL801565805US
Date of Deposit: May 10, 2001

I hereby certify that these papers and fee(s) are being deposited with the United States Postal Service as "Express Mail Post Office to Addressee" service under 37 CFR 1.10 on the date indicated above, with sufficient postage in an envelope addressed to Box PCT, Assistant Commissioner of Patents, Washington, DC 20231.

1. Transmittal Letter to the DO/US concerning a Filing Under 35 USC 371
2. Application (39 pages)
3. Drawings (9 pages)
4. Sequence Listing (4 pages)
5. Combined Declaration and Power of Attorney (informal)
6. Assignment document (informal)
7. Certificate of Mailing
8. Post Card

Angela Wendel

Angela Wendel
OPPENHEIMER WOLFF & DONNELLY LLP
840 Newport Center Drive
Suite 700
Newport Beach, CA 92660-7007
Telephone: (949) 719-6000
Facsimile: (949) 719-6040